IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 24979 of 2005

Between:

Mittapalli Raji Reddy and another

..... PETITIONERS

AND

The Chairman and Managing Director,

Transmission Corporation of A.P.Vidyut Soudha,
Khairatabad, Hyderabad and 4 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents in trying to lay 400 KV line at Gopalraopet village, Dharmaram Mandal, Karimnagar District, running from Ramagundam to Dichpally from petitioners' mango garden, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents.

It is stated that the 1st petitioner is the owner and possessor of Ac.4.00 of land situated in Sy.No.217/A of Gopalraopet village, Dharmaram Mandal, Karimnagar District, and the 2nd petitioner is the owner and possessor of Ac.2.00 of land in Sy.No.219/B of the same village and both of them raised mango garden by investing huge amounts. It is further stated that while so, the respondents made a survey for the purpose of laying high tension 400 KV electrical line running from Ramagundam to Dichpally across the mango garden of the petitioners. Aggrieved by the action of the respondents, the petitioners made individual representations before the respondents on 31.10.2005, requesting them to shift the proposed line so as to avoid damage to their mango topes. But without considering their representations, it is stated that the respondents are taking steps to lay high tension 400 KV electrical line from Ramagundam to Dichpally through the mango topes of the petitioners.

Having regard to the facts and circumstances of the case, without expressing any opinion on merits of the case, I deem it appropriate to dispose of the writ petition, with a direction to the 2nd respondent to consider and dispose of the individual representations of the petitioners dated 31.10.2005, in accordance with law, and communicate the decision taken by him to the petitioners, within a period of 4 (four) weeks from the date of receipt of a copy of this order. Till then, the respondents shall not lay any high tension 400 KV electrical line through the mango topes of the petitioners, without following due procedure prescribed in law.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 30.11.2005

Dsr